

**REMARKS**

Claims 1, 2, 5, 7, 16-18, 21, 23, 32, and 33 are pending in this application.

Applicants have amended claims 1, 16, 17, 21, 23, 32, and 33, and have canceled claims 6, 8-15, 22, 24-31, and 34-37 (claims 3, 4, 19, and 20 were previously canceled). These changes do not introduce any new matter.

**Non-Elected Subject Matter**

Of the claims canceled herein, claims 8-15, 24-31, and 34-37 are directed toward non-elected species. Applicants reserve the right to pursue claims directed toward non-elected species in or more timely filed divisional applications.

**Rejection Under 35 U.S.C. § 103**

Applicants respectfully request reconsideration of the rejection of claims 1, 2, 5-7, 16-18, 21-23, 32, and 33 under 35 U.S.C. § 103(a) as being unpatentable over *Loui et al.* (“*Loui*”) (US 6,636,648 B2) in view of *Matsushima* (US 7,034,878 B2) (as noted above, claims 6 and 22 have been canceled). As will be explained in more detail below, the combination of *Loui* in view of *Matsushima* would not have rendered the subject matter defined in independent claims 1, 16, 17, 32, and 33, as amended herein, obvious to one having ordinary skill in the art.

Applicants have amended each of independent claims 1, 16, 17, 32, and 33 to specify that the analyzer (or the corresponding method operation or the corresponding program code) *calculates an edge amount at each pixel position in the image*, and determines the image quality parameter *using the edge amounts weighted by a weight distribution that is determined according to the image generation record information*. The addition of these features is supported by Figure 19 and the accompanying description of this figure set forth in the specification.

The *Matsushima* reference discloses that the processing is changed depending on the importance of the respective areas, as demonstrated by the following:

- 1) “The greater the importance, the more important the area is, so that a functional block 5-4 determines image quality levels in accordance with importance of the respective areas 1 through 3.” (column 10, lines 17-20);
- 2) “simplifying image processing in areas of small importance” (column 3, lines 33-34);
- 3) “importance is determined separately with respect to each block” (column 10, lines 37-38);
- 4) the number of gray scale levels is determined with respect to each of the importance levels (column 11, lines 35-47, and Figure 11);
- 5) “This is the color interpolation processing of the areas of great importance. In areas other than the areas of great importance, simple averaging computation based on the equation (6) may be employed.” (column 13, lines 1-5);
- 6) “the color interpolation processing is changed depending on the importance of respective areas” (column 13, lines 35-36); and
- 7) “the noise removal processing is changed depending on the importance of respective areas” (column 18, lines 2-3).

The *Matsushima* reference, however, does not disclose or suggest at least the following feature of the presently claimed subject matter:

the edge amounts of pixel positions in the image are weighted by a weight distribution.

The *Loui* reference also does not disclose or suggest the above-listed feature of the presently claimed subject matter. Thus, the result of the combination of the *Loui* and

*Matsushima* references would not have included each and every feature of the subject matter defined in independent claims 1, 16, 17, 32, and 33, as amended herein.

Accordingly, for at least the foregoing reasons, claims 1, 16, 17, 32, and 33, as amended herein, are patentable under 35 U.S.C. § 103(a) over the combination of *Loui* in view of *Matsushima*. Claims 2, 5, and 7, each of which ultimately depends from claim 1, and claims 18, 21, and 23, each of which ultimately depends from claim 17, are likewise patentable under 35 U.S.C. § 103(a) over the combination of *Loui* in view of *Matsushima* for at least the same reasons set forth above with regard to claims 1 and 17, respectively.

#### Conclusion

In view of the foregoing, Applicants respectfully request reconsideration and reexamination of claims 1, 2, 5, 7, 16-18, 21, 23, 32, and 33, as amended herein, and submit that these claims are in condition for allowance. Accordingly, a notice of allowance is respectfully requested. In the event a telephone conversation would expedite the prosecution of this application, the Examiner may reach the undersigned at (408) 749-6902. If any additional fees are due in connection with the filing of this paper, then the Commissioner is authorized to charge such fees to Deposit Account No. 50-0805 (Order No. MIPFP056).

Respectfully submitted,  
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